

## **CERCLIS Archive Guidelines**

### **October, 1996**

#### **Introduction**

This document updates the June, 1995 version of the CERCLIS Archive Guidelines and is applicable to sites currently included in, or subsequently added to, the CERCLIS inventory. Major changes for this version include:

- Adding sites deleted from the Final NPL as candidates for archiving;
- Adding sites which have not had any work started and which do not warrant expenditure of site assessment or removal funding based on cursory review as a candidate for archival;
- Requiring a note to the site file indicating that no further federal Superfund interest exists at a site when designating a site for archival;
- Changing the archive date definition to represent the signature date of the note added to the site file indicating no further federal Superfund interest exists.

#### **Background**

Of the more than 40,000 sites that EPA has historically included in the CERCLIS inventory, less than five percent have made it on the final NPL. Most sites were evaluated and determined not to warrant placement on the NPL and were referred to the States or deferred to other federal authorities (e.g., Resource Conservation and Recovery Act (RCRA)) for any further action. However, the perceived potential threat of Superfund liability historically remained for these sites since they were still listed in CERCLIS.

In response to growing concerns about this unintended stigma associated with sites listed in CERCLIS, EPA introduced the CERCLIS archiving effort in early 1995 as part of the Agency's Brownfields initiative on economic redevelopment. Specifically, CERCLIS archiving is an ongoing effort that addresses this stigma by removing from CERCLIS those sites with no further interest under the federal Superfund Program. Archiving CERCLIS sites is a key measure of Superfund accomplishments.

### **Progress to Date**

To date, the archive effort has included:

- Initially identifying 24,000 sites that had "No Further Remedial Action Planned" site assessment decisions with no removal or other apparent federal Superfund interest;
- Adding an archive flag and archive date field to CERCLIS/WasteLAN and updating these for the 24,000 sites identified above;
- Separating the List-8 standard FOIA report into two separate reports: one for archive sites and one for the remaining CERCLIS sites;
- Removing the archive sites from the public FOIA CERCLIS database and distributing archive data sets through NTIS;
- Providing archive guidelines in June, 1995 along with site listings;
- Regional implementation of reviewing archive candidate site data and assigning archive status to sites as appropriate;
- Reporting regional progress on archiving additional sites for the EPA Administrator's address to the U.S. Conference of Mayors in January, 1996; and
- Providing access to archive sites via EPA's web server accessible through the Internet.

### **Definition**

CERCLIS archiving represents a site-wide decision that based upon available information, no further interest exists at the site under the federal Superfund Program. The decision means that there are no further site assessment, remedial, removal, enforcement, cost recovery, or oversight activities planned or being conducted at the site. Please note that archive is not the same as no further remedial action planned (NFRAP). A NFRAP decision is made only at the conclusion of a site assessment event, and does not take into account any other Superfund programmatic activity that may be going on at a site such as removals or cost recovery.

EPA currently houses archived sites within the same data set as the remaining CERCLIS sites. As mentioned above, efforts have been taken to segregate these sites on products distributed to stakeholders. Implementing this strategy is critical to ensuring recognition among stakeholders that archive sites are not the same as remaining CERCLIS sites. To assist in this effort, Headquarters and Regions should suppress references to CERCLIS when distributing archive information. The remaining active sites should be referred to as the "CERCLIS" inventory in outreach materials. Archive sites will be stored as a separate, and appropriately named, data set within the CERCLIS-3 environment. EPA will maintain information on the archive sites for historical analyses and to ensure that new sites entered into CERCLIS were not previously addressed (unless warranted by new information as discussed below).

In addition, archive and CERCLIS sites should not be merged on outreach materials since it defeats the purpose of segregating these sites. In response to requests for information on Superfund sites, EPA's policy is to provide information on only the CERCLIS (active) inventory of sites unless the requestor specifically asks for information on the archive sites. When it is specifically requested, Regions should provide archive data - but must distribute it as a separate product (i.e., do not merge the CERCLIS inventory and archived sites on the same report).

#### **Information Management**

An archive decision is reflected in the site level "Archive Flag" and "Archive Date" fields. An archive flag value of "NFA" and related date indicate the site is an archive site. The archive date field is required whenever an "NFA" is entered into the archive flag field. Archive data elements are being maintained as CERCLIS undergoes revision, although the terminology may change slightly within the new CERCLIS-3 environment.

Archive designation should be documented by a note to the site file explaining that no further federal Superfund interest exists at the site based on available information. The signature date on this note should serve as the date entered in the archive date field.

Archive flag and event/activity information in CERCLIS should be consistent before a site is designated as an archive. This means an archive site should not have information indicating that further work is required (e.g., on a backlog, in-process, or undergoing cost recovery). Events with actual start dates and no completion dates must be updated or corrected prior to assigning an archive status since data on these sites indicates that work is still ongoing or in-process. Automating update of the archive flag/date fields based on event/activity data may not be feasible since there may be reasons the Regions do not want a site archived that are not reflected in existing database fields.

The public FOIA version of the CERCLIS database is currently comprised of those sites where the Archive Flag has no value (i.e., not NFA). Similarly, standard FOIA reports available from the mainframe such as the List-8T, List-8E, and List-9 are all based on the archive flag value. The archive flag will also be the basis for moving archived sites into a separate data set in CERCLIS-3.

#### **Eligible Sites**

Although the underlying basis for archiving a site is whether or not federal Superfund interest exists, several categories of sites are used to generate lists of potential archive candidate sites. Based on review of sites in these categories, Regions should update the archive flag and date fields as appropriate in a timely fashion. Site categories eligible for archiving include:

- Sites that have gone only through the site assessment process (i.e., no removal action) and have either been given a NFRAP or Deferred decision at the conclusion of the last completed site assessment event, and no other federal Superfund activity is anticipated (including confirmation by the RCRA Program or the Nuclear Regulatory Commission (NRC) for sites deferred to those authorities that they are aware of these sites and agree that no further work under the federal Superfund program is currently required);
- Sites that have had both removal and site assessment work completed, or have had only removal work performed with no site assessment work required (removal-only sites) that have

completed any related cost recovery and have no further federal Superfund activity anticipated;

- Sites removed from the proposed NPL, or final NPL (e.g., as a result of a lawsuit) which have no further federal Superfund activity anticipated;
- Sites deleted from the Final NPL which have no further federal Superfund activity anticipated; and
- Sites that have been entered into CERCLIS which have not had any work started and based on cursory review do not warrant expenditure of site assessment or removal funding (i.e., sites that have been recorded in CERCLIS which should never have been entered in the first place). A discovery date and abbreviated preliminary assessment (PA) may be appropriate for these sites prior to designating archive status. An abbreviated PA is appropriate when initial information indicates the site does not warrant a full scale PA (p. 148 Preliminary Assessment Guidance, September, 1991)

Through September, 1996 EPA has designated approximately 28,000 archive sites. About half of the remaining CERCLIS inventory of 13,000 sites are being evaluated under the site assessment program, and many of these have been assigned a "NFRAP" or "Deferred" site assessment decision but not archived yet. In addition to these existing potential archive sites, typical Superfund activities add between 500 and 1,000 sites per year to the pool of archive candidate sites. It is imperative that Regions determine on a timely basis whether further federal Superfund interest exists at these sites, and make archive decisions as appropriate.

If research indicates that further assessment work is required, Regions should update event decisions as appropriate (e.g., change the NFRAP decision at the last site assessment event to a low or high priority for further assessment, if appropriate). Reports identifying potential archive candidate sites are available from Headquarters and are being modified to include sensitive cost recovery data to assist Regions in determining federal Superfund interest. The reports are also being converted for use in the CERCLIS-3 environment.

### **Business Process**

Headquarters is not establishing a business process each Region must follow when designating archive status. This process is left to the Regions to implement in a manner that makes sense and is most effective within each individual Region. Within the business process of archiving sites, Regions must use the above criteria and coordinate with the RCRA program to ensure that there is agreement on which sites each program is responsible for.

### **Returning Sites to CERCLIS**

Finally, CERCLIS archiving may be a dynamic process. Archive decisions are made based on information known at the time of the decision. If new information warrants, EPA may return an archived site back into the CERCLIS inventory. This can be accomplished within the CERCLIS-2 environment by simply deleting the "NFA" value and related date from the archive flag/date fields. A process for returning sites to the CERCLIS inventory will be provided within the CERCLIS-3 environment but the technical procedures have not been identified as of this writing. When determined, these procedures will be discussed in related CERCLIS-3 information management documentation.